

IN RE: PETITIONS FOR SPECIAL HEARING,	*	BEFORE THE
SPECIAL EXCEPTION & ZONING VARIANCE		
561 ft. (+/-) SW of Golden Ring	*	ZONING COMMISSIONER
Road, N/S Race Rd. Extended		
800 Race Road	*	OF BALTIMORE COUNTY
15th Election District		
7th Councilmanic District	*	Case No. 95-467-SPHXA
Leonard A. Kraus, Sr, et ux		
Petitioners	*	

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Zoning Variance, all for the property located at 800 Race Road in the Golden Ring section of Baltimore County. The Petitions are filed by Leonard A. Kraus, Sr. and Ruth N. Kraus, his wife, property owners. Special Hearing relief is requested to approve an amendment to the previously approved site plan in zoning cases 80-138-A and 89-374-A. Special Exception relief is requested for a service garage on the subject property zoned M.L.-I.M. Variance relief is sought from Sections 255, 238 and 102.2 of the Baltimore County Zoning Regulations (BCZR) to approve a setback of 35 ft. between buildings, in lieu of the maximum required 60 ft., and a building to property line setback of 20 ft., in lieu of the required 30 ft.

The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the site plan.

Appearing at the public hearing held for this case were the property owners, Leonard A. Kraus and Ruth N. Kraus, Petitioners. Lawrence E. Jones, the professional engineer who prepared the site plan marked as Petitioner's Exhibit No. 1, also appeared. The Petitioners were represented by T. Wray McCurdy, Esquire. There were no Protestants or interested persons present.

Testimony and evidence presented was that the subject property is approximately 4.8 acres in its entirety and is zoned M.L.-I.M. This is an

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Date

By

10/23/91
M. Wray

industrial site located at the end of Race Road in the Golden Ring section of Baltimore County. The property is surrounded by other manufacturing and industrial uses as well as a railroad line upon which it borders to the south.

The site is presently utilized to support a drywall contractor's business which is operated by the property owners. The site is improved by a number of structures devoted to this business and storage needs attendant thereto. The site is more particularly described in detail on the site plan.

The Petitioner proposes a number of improvements to the site. A 12,000 sq. ft. warehouse is contemplated for the north portion of the site to provide additional storage area. Other improvements are contemplated, including the creation of an area devoted to the special exception use, service garage. The special exception area will be .60 acres in size. It will be utilized to maintain the vehicles operated in connection with the business. Indeed, a service garage is defined by Section 101 of the BCZR as a "Garage other than a residential garage where motor driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale." Commercial vehicles utilized in connection with the business will be kept and maintained in the special exception area. As to the zoning variance, same is requested as it relates to the proposed 12,000 sq. ft. warehouse annex. Relief is requested to allow the building to be slightly closer to the property line and also closer to an existing single story warehouse. The Petitioner indicated that a grouping of the buildings in the fashion proposed would promote circulation and internal use of the property.

Lastly, it is also to be noted that the plan was amended at the hearing, and a note on the plan indicates that a small frame storage structure will be razed upon completion of the new warehouse annex. The Petitioner

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Date 10/23/95
By [Signature]

offered an amendment to that comment indicating that the building would remain and continue to be utilized for storage purposes.

Based on the uncontradicted testimony and evidence offered, I am persuaded to grant the relief requested. As to the Petition for Special Exception, it is clear that the proposed use of that portion of the property dedicated for the service garage will not detrimentally affect the health, safety and general welfare of the subject locale. The area designed for the service garage use is but a small portion of the site. The characteristics of the neighboring property are such that this proposed use will not negatively impact those tracts. I am persuaded that the Petitioner has satisfied those burdens set forth in Section 502.1 of the BCZR.

The Petition for Special Hearing should be granted so as to allow the Petitioner to upgrade and renovate the site as shown on the site plan. This special hearing request is sought only to allow incorporation of the existing and proposed renovations to the site plan. It is clear that this renovations are within the spirit and intent of the BCZR and are in furtherance of the legitimate use of the property.

The Petition for Variance should also be granted. The unique characteristics of the lot which justifies this variance is its shape and limited public road frontage. A consistent use and traffic flow will result if the variance relief is granted. It is clear that a grant of the variance to allow the building, where proposed, will not cause any detriment to adjoining properties. For these reasons, the Petition for Variance shall be approved.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

ORDER RECEIVED FOR FILING

Date

By

10/23/95
M. G. R. R.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 20, 1995

T. Wray McCurdy, Esquire
101 Eastern Avenue
Baltimore, Maryland 21221

RE: Petitions for Special Exception, Special Hearing and Variance
Case No. 95-467-SPHXA
Leonard A. Kraus, Sr., et ux, Petitioners

Dear Mr. McCurdy:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception, Special Hearing and Zoning Variance have been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Mr. and Mrs. Leonard A. Krus, Sr.
10901 Juniper Road
Kingsville, Maryland 21087

MICROFILMED





Petition for Special Hearing

95-467-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at #800 RACE ROAD

which is presently zoned ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

AN AMENDMENT TO THE
PREVIOUS SITE PLANS APPROVED IN ZONING CASE #
80-130-A AND 89-374-A

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

LEONARD A. KRAUS, SR.
(Type or Print Name)

Signature

Leonard A. Kraus, Sr.
Signature

Address

RUTH N. KRAUS
(Type or Print Name)

City State Zipcode

Ruth N. Kraus
Signature

Attorney for Petitioner

10901 JUNIPER RD. 391-8020
Address Phone No

T. WRAY M^c CURDY
(Type or Print Name)

KINGSVILLE, MD. 21087
City State Zipcode

T. Wray M^c Curdy
Signature

Name, Address and phone number of representative to be contacted.

101 EASTERN AVE 686-2200
Address Phone No

PATRICK M. O'KEEFE
Name HUNT VALLEY, MD.
523 PENNY LA. 21030 666-5366
Address Phone No

BALTO. MD. 21221
City State Zipcode

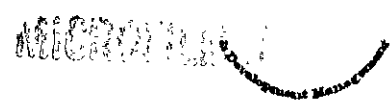
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE





Petition for Special Exception

95-467-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at #800 RACE ROAD

which is presently zoned ML-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the

A SERVICE GARAGE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

LEONARD A. KRAUS, SR.
(Type or Print Name)

Signature

Leonard A. Kraus, Sr.
Signature

Address

RUTH N. KRAUS
(Type or Print Name)

City State Zipcode

Ruth N. Kraus
Signature

Attorney for Petitioner.

10901 JUNIPER RD. 391-8020
Address Phone No

T. WRAY M^C CURDY
(Type or Print Name)

KINGSVILLE, MD. 21087
City State Zipcode

T. Wray McCurdy
Signature

Name, Address and phone number of representative to be contacted.

101 EASTERN AVE. 686-2200
Address Phone No

PATRICK M. O'KEEFE
Name
523 PENNY LA. HUNT VALLEY, MD. 21030 666-5366
Address Phone No

BALTO. MD. 21221
City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE



461



Petition for Variance

95-467-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at #800 RACE ROAD

which is presently zoned ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 255, 238 AND 102.2 BCZR TO PERMIT BETWEEN BLDG. SETBACKS OF 35 FT. IN LIEU OF THE MAXIMUM REQUIRED 60 FT. AND A BUILDING TO PROPERTY LINE SETBACK OF 20 FT IN LIEU OF THE REQUIRED 30 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner.

T. WRAY M'CURDY
(Type or Print Name)

T. Wray M'Curdy
Signature

101 EASTERN AVE 686-2200
Address Phone No.

BALTO., MD. 21221
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

LEONARD A. KRAUS, SR.
(Type or Print Name)

Leonard A. Kraus
Signature

RUTH N. KRAUS
(Type or Print Name)

Ruth N Kraus
Signature

10901 JUNIPER RD. 391-8020
Address Phone No.

KINGSVILLE, MD. 21087
City State Zipcode

Name, Address and phone number of representative to be contacted.

PATRICK M. O'KEEFE
Name
523 PENNY LA. 21030 666-5366
Address Phone No.
HUNT VALLEY, MD.

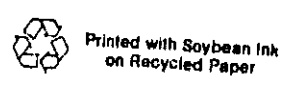
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



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ZONING DESCRIPTION

of the property located at

800 RACE ROAD

15th Election District
Baltimore County, Maryland

A) VARIANCE

Beginning for the **FIRST** at a point on Race Road Extended, said point being Southwesterly 561 feet more or less from the intersection of the centerline Golden Ring Road with the centerline of Race Road Extended, thence running and binding on the outlines of the property of the petitioners herein the nine courses and distances viz:

- 1) South 29 degrees 37 minutes 12 seconds West, 222.89 feet;
 - 2) South 33 degrees 24 minutes 12 seconds West, 142.32 feet;
 - 3) Thence a curve with a radius of 6131.20 feet with a length of 477.47 feet, chord bearing being South 65 degrees 49 minutes 26 seconds West, 477.33 feet;
 - 4) North 58 degrees 39 minutes 10 seconds West 85.81 feet;
 - 5) North 12 degrees 09 minutes 40 seconds West, 191.42 feet;
 - 6) North 47 degrees 41 minutes 20 seconds East, 307.02 feet;
 - 7) North 84 degrees 01 minutes 26 seconds East, 299.92 feet;
 - 8) North 18 degrees 47 minutes 50 seconds East, 110.19 feet;
 - 9) South 69 degrees 33 minutes 02 seconds East, 188.64 feet;
- to the place of beginning

Containing 4.800 acres of land more or less

Saving and excepting the second herein description which is intended to contain the area of the special exception.

- B) SPECIAL EXCEPTION - Beginning for the second at a point in the first line mentioned above, being 20.0 feet from the end of said line, thence running with and binding on the remainder of said line.
- 1) South 29 degrees - 37 minutes - 12 seconds West - 20.0 feet.
 - 2) South 33 degrees - 24 minutes - 12 seconds West - 142.32 feet.
 - Thence running with a portion of the third line mentioned above:
 - 3) A curve with a radius of 6131.20 feet with a length of 175.0 feet. Chord bearing being South 65 degrees - 50 minutes West - 175.0 feet.
 - 4) North 24 degrees - 10 minutes West - 60.0 feet.
 - 5) North 65 degrees - East - 100.0 feet.
 - 6) North 29 degrees - East - 140.0 feet.
 - 7) South 61 degrees - East - 15.0 feet.
 - 8) North 29 degrees - East - 40.0 feet.
 - 9) South 61 degrees - East - 93.0 feet.
 - To the place of beginning containing 0.60 acres of land, more or less.

The improvements being known as 800 Race Road Extended

JONES ASSOCIATES
944 BEAVERBANK CIR.
TOWSON, MD.



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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-467-SPHXA

District 1576

Date of Posting 7/1/95

Posted for: Special Exception & Variance

Petitioner: Loonard & Ruth Kross

Location of property: 800 Pace Rd,

Location of Signs: Facing road way on property being zoned

Remarks:

Posted by [Signature]
Signature

Date of return: 7/7/95

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-467-SPHXA
(Item 461)
800 Race Road
N/S Race Road Extended,
561' +/- SW of Golden
Ring Road
16th Election District
7th Councilmanic
Legal Owner(s):
Leonard A. Kraus, Sr.
and Ruth N. Kraus
Hearing: Wednesday,
July 19, 1995 at 2:00
p.m. in Rm. 118, Old
Courthouse.

Special Hearing to approve an amendment to the site plans approved in zoning case #80-138-A and #89-374-A. Special Exception for a service garage. Variance to permit between building setbacks of 35 feet in lieu of the maximum required 60 feet and a building to property line setback of 20 feet in lieu of the required 30 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.
6/367 June 29.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

6/29, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/29, 1995.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

6/14/95

Account: R-001-6150

Number

461

VLL

3 HRINGS SPHXA

CODE 070

3 SIGNS CODE 080

\$ 650.00

105.00

\$ 755.00

COWER KRAUS.

Loc. 800 RACE RD.

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02 AUG 2017 9:14 AM

02 AUG 2017

PAID TO THE ORDER OF

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
June 29, 1995 Issue - Jeffersonian

Please forward billing to:

Leonard Kraus
800 Race Road
Baltimore, MD 21221
391-8020

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-467-SPHX (Item 461)
800 Race Road
N/S Race Road Extended, 561' +/- SW of Golden Ring Road
15th Election District - 7th Councilmanic
Legal Owner(s): Leonard A. Kraus, Sr. and Ruth N. Kraus
HEARING: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve an amendment to the previous site plans approved in zoning case #80-138-A and #89-374-A.

Special Exception for a service garage.

Variance to permit between building setbacks of 35 feet in lieu of the maximum required 60 feet and a building to property line setback of 20 feet in lieu of the required 30 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 22, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-467-SPHXA (Item 461)
800 Race Road
N/S Race Road Extended, 561'+/- SW of Golden Ring Road
15th Election District - 7th Councilmanic
Legal Owner(s): Leonard A. Kraus, Sr. and Ruth N. Kraus
HEARING: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve an amendment to the previous site plans approved in zoning case #80-138-A and #89-374-A.
Special Exception for a service garage.
Variance to permit between building setbacks of 35 feet in lieu of the maximum required 60 feet and a building to property line setback of 20 feet in lieu of the required 30 feet.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director
Department of Permits and Development Management

cc: Leonard A. and Ruth N. Kraus
Patrick M. O'Keefe
T. Wray McCurdy, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



ALBION 11/1/95



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #800 RACE ROAD
which is presently zoned ML-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 255, 238 AND 10212 BCZR
TO PERMIT BETWEEN BLDG. SETBACKS OF 35 FT. IN LIEU OF THE MAXIMUM
REQUIRED 60 FT. AND A BUILDING TO PROPERTY LINE SETBACK
OF 20 FT. IN LIEU OF THE REQUIRED 30 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

TO BE DETERMINED AT HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

T. WRAY McCURDY

(Type or Print Name)

Signature

101 EASTERN AVE 686-2200

Address

Phone No.

BALTO, MD

City

State

21221

Zipcode

Legal Owner(s).

LEONARD A. KRAUS, SR.

(Type or Print Name)

Signature

RUTH N. KRAUS

(Type or Print Name)

Signature

10901 JUNIPER RD. 391-8020

Address

Phone No.

KINGSVILLE, MD 21087

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

PATRICK M. O'KEEFE

Name

523 PENNY LA 21030 666-5366

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE



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on Recycled Paper





Petition for Special Exception

95-467-SPHXA
to the Zoning Commissioner of Baltimore County

for the property located at # 800 RACE ROAD
which is presently zoned ML-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the

A SERVICE GARAGE

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(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

LEONARD A. KRAUSS, SR
(Type or Print Name)

Signature

Signature

Address

RUTH N. KRAUS
(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner

10901 JUNIPER RD 391-8020
Address Phone No.

T. WRAY M^C CURDY
(Type or Print Name)

KINGSVILLE, MD. 21087
City State Zipcode

Signature

Name, Address and phone number of representative to be contacted.

101 EASTERN AVE 686-2200
Address Phone No.

PATRICK M. O'KEEFE
Name
523 PENNY LA. HONT VALLEY, MD. 21030
Address Phone No.

BALTO. MD. 21221
City State Zipcode

OFFICE USE ONLY

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the following dates Next Two Months

ALL OTHER

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Petition for Special Hearing

95-467-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at # 800 RACE ROAD
which is presently zoned ML-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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AN AMENDMENT TO THE PREVIOUS
SITE PLANS APPROVED IN ZONING CASE # 80-138-A AND 89-374-A.

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I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

Legal Owner(s):

(Type or Print Name)

LEONARD A. KRAUS SR.
(Type or Print Name)

Signature

Leonard A. Kraus Sr.
Signature

Address

RUTH N. KRAUS
(Type or Print Name)

City State Zipcode

Ruth N. Kraus
Signature

Attorney for Petitioner

10901 JUNIPER RD. 391-8020
Address Phone No

T. WRAY MURPHY
(Type or Print Name)

KINGSVILLE, MD. 21087
City State Zipcode

T. Wray Murphy
Signature

Name, Address and phone number of representative to be contacted

101 EASTERN AVE. 686-2200
Address Phone No

PATRICK M. O'KEEFE
Name
523 PENNY LA. 21030 666-5366
Address Phone No

BALTO. MD. 21221
City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS
unavailable for Hearing

the following dates _____ Next Two Months

ALL ☒ OTHER _____

REVIEWED BY: JFK DATE 6/14/96



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 13, 1995

T. Wray McCurdy, Esquire
101 Eastern Ave.
Baltimore, Maryland 21221

RE: Item No.: 461
Case No.: 95-467-SPHXA
Petitioner: Mr. and Mrs. Kraus

Dear Mr. McCurdy:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 14, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/03/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: LEONARD A. KRAUS, SR. & RUTH N. KRAUS

LOCATION: N/S RACE RD. EXTENDED, 561' +/- SW OF GOLDENRING RD.
(800 RACE RD.)

Item No.: 461

Zoning Agenda: SPECIAL HEARING/EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED

JUL 3 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED




BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 27, 1995

FROM: Pat Keller, Director 
Office of Planning and Zoning

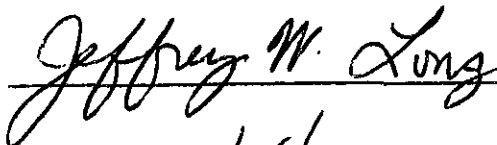
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

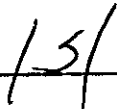
Item No. 461

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:



Division Chief:



PK/JL

MICROFILMED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

6-23-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

Item No.: 461 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

**PETITION PROBLEMS
AGENDA OF JUNE 26, 1995**

#451 --- MJK

1. No legal owner listed on petition form.
2. No address or telephone number for protestants.
3. Zoning listed on petition form does not agree with zoning on front of folder (D.R.-5.5 on petition form; D.R.-5.5, D.R.-10.5, D.R.-16, O-2 listed on folder).

#452 --- JLL

1. Petitioner's copy of receipt is still in folder.

#454 --- RT

1. No special hearing fee charged to amend the FDP.
2. Need attorney.

#455 --- MJK

1. No telephone number for legal owner.

#456 --- JRA

1. No telephone number for legal owner.
2. No councilmanic district on folder.

#457 --- MJK

1. No telephone number for legal owner.

#459 --- MJK

1. Need title of persons signing for legal owner.
2. No telephone number or address for representative to be contacted.

#461 --- JLL

1. No review information on bottom of petition forms.
2. No practical difficulty or hardship listed on variance petition.

#465 --- CAM

1. No review information on bottom of petition form.
2. No item number on petition form.
3. No legal owner signature, typed name, address, or telephone number.
4. No name or telephone number of representative to be contacted.

#466 --- MJK

1. No telephone number for legal owner.

RECEIVED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION		
PETITION FOR VARIANCE	*	ZONING COMMISSIONER
800 Race Road, N/S Race Road Extended,		
561'+/- SW of Golden Ring Road	*	OF BALTIMORE COUNTY
15th Election District, 7th Councilmanic		
	*	CASE NO. 95-467-SPHXA
Leonard A. Kraus, Sr. and Ruth N. Kraus		
Petitioners	*	
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 1995, a copy of the foregoing Entry of Appearance was mailed to T. Wray McCurdy, Esquire, 101 Eastern Avenue, Baltimore, MD 21221, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

Gwen 3 hearings.

3 signs

1 sign to alert to hearings
at race rd if possible.

2 with hearings on site.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Ruth N Kraus

800 Race Rd.

Kelly Kraus

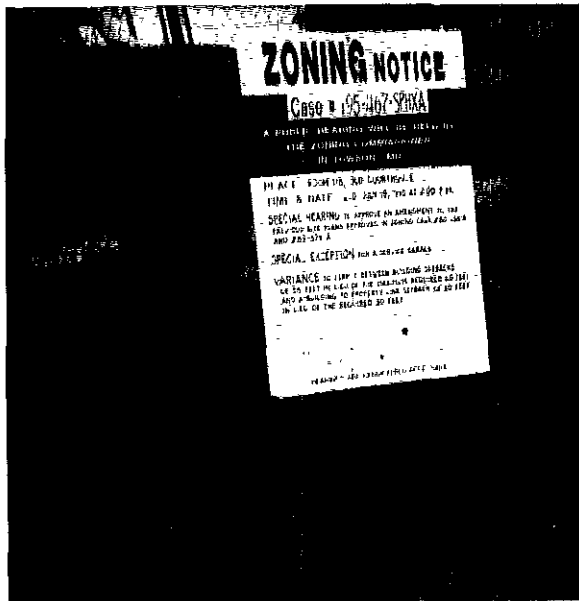
800 Race Rd.

Leonard A Throna

800 Race Rd.

Lawrence E. Jones

999 BEAVERDAM CRL. 21286



ML-1M

306-SPHA
5-12C

ZONING MAP
NE 3-G
SCALE: 1"=200'

PRIVATE

SITE
#800 RACE RD.

PRIVATE

80-138A
89374A

P.O.B.

ROAD

ROAD

RACE RD.
PUBLIC UTILS. EXIST.

ROAD

GOLDEN
RING ROAD

PRIVATE
ROAD

(SHEET N.E. 46)

588

85-295 SPH
64-29X 3566

76-205 SPH
N1180
E39535

83
65

102/102

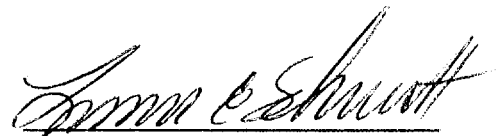
73-252 X
N0970
E40130

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 23rd day of October, 1995, that, pursuant to the Petition for Special Hearing, approval to amend the previously approved site plan in zoning cases 80-138-A and 89-374-A, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Exception, approval for a service garage on the subject property zoned M.L.-I.M., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that variances from Sections 255, 238 and 102.2 BCZR to approve a setback of 35 ft. between buildings, in lieu of the maximum required 60 ft. and a building to property line setback of 20 ft. in lieu of the required 30 ft., be and is hereby GRANTED, subject, however to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 461

Petitioner: KRAUS

Location: 800 RACE RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: LEONARD KRAUS

ADDRESS: 800 RACE RD

BALTO MD 21221

PHONE NUMBER: 391 8020

AJ:ggs

(Revised 04/09/93)



Baltimore Gas & Electric
Transmission R/L 150' wide
Zoned M-L-1A - 11' electrical transmission

PLAN AND PARTIAL TOPO
THE PROPERTY LOCATED AT
800 RACE ROAD
15TH ELECTION DISTRICT, 17
BALTIMORE COUNTY, MARYLAND

FOR REVISIONS 1
DATED 2/14/95
SPECIAL EXCEPTION
AND VARIANCES.
BOUNDARY, TOPO AND LOCATION OF EXISTING STRUCTURES
PREPARED BY J.E. RYANONE FOR PRIOR ZONING CASE.

C-B+B - Beltsville Silt Loam
(2 to 5% slopes)
C-B+C2 - Beltsville Silt Loam,
(5 to 10% slopes)

- 1) EXISTING ZONING - ML-1M
- 2) EXISTING USE - DRYWALL CONTRACTOR
- 3) NO GRADING TO BE DONE ON SITE EXCEPT FOR FOOTING EXCAVATION FOR WAREHOUSE ANNEX
- 4) VARIANCES GRANTED: CASE 89-374-A AND CASE 89-386-A PROVIDED FOR SIDE, REAR SETBACKS OF 0' AND 10' (DISTANCE OF LESS THAN 60 FT. BETWEEN BUILDINGS)
- 5) NO OUTSIDE STORAGE OF DAMAGED OR DISABLED VEHICLES WILL BE PERMITTED
- 6) ALL EXISTING SIGNAGE TO REMAIN,
- 7) WAIVER OF LANDSCAPE PLAN WAS GRANTED BY THE HARDEN ZONING CASE 89-374-A
- 8) EXISTING METAL STUD WALL PANELS WITH Gypsum DRYWALL ARE KEPT IN CONTAINERS ON THE STORAGE LOT AFTER ASSEMBLY FOR PROTECTION FROM THE WEATHER.
- 9) NO BUILDINGS EXCEED 40 FEET IN HEIGHT.

GENERAL NOTES

4

PLAT TO ACCOMPANY PETITIONS
FOR ZONING VARIANCES AND
SPECIAL EXCEPTION AND TO
FURTHER AMEND PREVIOUS
CASES : 80-138-A & 89-374-A

* 800 RACE ROAD
LEONARD & RUTH KRAUS

MICROFILMED

SCALE: 1" = 50'

DATE: FEB. 14, 1995

SECTION	PARKING REQUIREMENTS
OFFICE AREAS: 4000 + 1536	- 5336 #
PARKING REQUIRED	- 18.5 SPACES
EMPLOYEE WARE HOUSES: 141	- 140 SPACES
SERVICE GARAGE: 5000 ± 5.5 spaces/1000 - 17	- 5 SPACES
TOTAL PARKING REQUIRED	- 49 SPACES
TOTAL PARKING PROVIDED	- 57 SPACES
FLOOR AREA LATTO (FAC.) = 1219-	

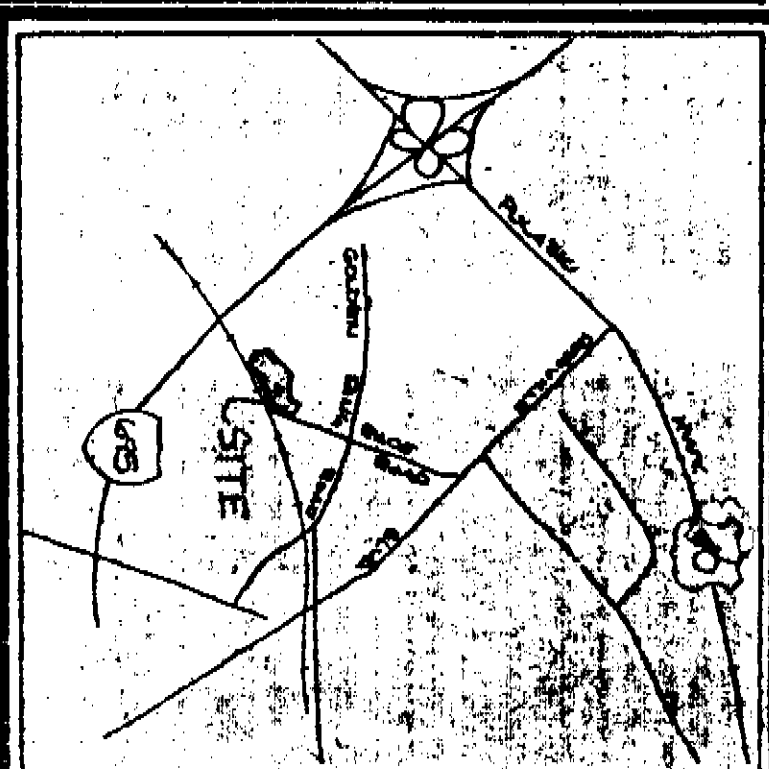
POINT OF BEGINNING
FOR ENTIRE TRACT
(VARIANCES)

DAVID R. ROEDER
RACE & ETHNICITY

**PETITIONER'S
EXHIBIT**

95.467-SPHMA

NITY MA
 2000



IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & ZONING VARIANCE * ZONING COMMISSIONER
561 ft. (+/-) SW of Golden Ring *
Road, N/S Race Rd. Extended * OF BALTIMORE COUNTY
800 Race Road *
15th Election District * Case No. 95-467-SPHXA
7th Councilmanic District *
Leonard A. Kraus, Sr., et ux *
Petitioners *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Zoning Variance, all for the property located at 800 Race Road in the Golden Ring section of Baltimore County. The Petitions are filed by Leonard A. Kraus, Sr. and Ruth N. Kraus, his wife, property owners. Special Hearing relief is requested to approve an amendment to the previously approved site plan in zoning cases 80-138-A and 89-374-A. Special Exception relief is requested for a service garage on the subject property zoned M.L.-I.M. Variance relief is sought from Sections 255, 238 and 102.2 of the Baltimore County Zoning Regulations (BCZR) to approve a setback of 35 ft. between buildings, in lieu of the maximum required 60 ft., and a building to property line setback of 20 ft., in lieu of the required 30 ft.

The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the site plan.

Appearing at the public hearing held for this case were the property owners, Leonard A. Kraus and Ruth N. Kraus, Petitioners. Lawrence E. Jones, the professional engineer who prepared the site plan marked as Petitioner's Exhibit No. 1, also appeared. The Petitioners were represented by T. Wray McCurdy, Esquire. There were no Protestants or interested persons present.

Testimony and evidence presented was that the subject property is approximately 4.8 acres in its entirety and is zoned M.L.-I.M. This is an

industrial site located at the end of Race Road in the Golden Ring section of Baltimore County. The property is surrounded by other manufacturing and industrial uses as well as a railroad line upon which it borders to the south.

The site is presently utilized to support a drywall contractor's business which is operated by the property owners. The site is improved by a number of structures devoted to this business and storage needs attendant thereto. The site is more particularly described in detail on the site plan.

The Petitioner proposes a number of improvements to the site. A 12,000 sq. ft. warehouse is contemplated for the north portion of the site to provide additional storage area. Other improvements are contemplated, including the creation of an area devoted to the special exception use, service garage. The special exception area will be .60 acres in size. It will be utilized to maintain the vehicles operated in connection with the business. Indeed, a service garage is defined by Section 101 of the BCZR as a "Garage other than a residential garage where motor driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale." Commercial vehicles utilized in connection with the business will be kept and maintained in the special exception area. As to the zoning variance, same is requested as it relates to the proposed 12,000 sq. ft. warehouse annex. Relief is requested to allow the building to be slightly closer to the property line and also closer to an existing single story warehouse. The Petitioner indicated that a grouping of the buildings in the fashion proposed would promote circulation and internal use of the property.

Lastly, it is also to be noted that the plan was amended at the hearing, and a note on the plan indicates that a small frame storage structure will be razed upon completion of the new warehouse annex. The Petitioner

offered an amendment to that comment indicating that the building would remain and continue to be utilized for storage purposes.

Based on the uncontradicted testimony and evidence offered, I am persuaded to grant the relief requested. As to the Petition for Special Exception, it is clear that the proposed use of that portion of the property dedicated for the service garage will not detrimentally affect the health, safety and general welfare of the subject locale. The area designed for the service garage use is but a small portion of the site. The characteristics of the neighboring property are such that this proposed use will not negatively impact those tracts. I am persuaded that the Petitioner has satisfied those burdens set forth in Section 502.1 of the BCZR.

The Petition for Special Hearing should be granted so as to allow the Petitioner to upgrade and renovate the site as shown on the site plan. This special hearing request is sought only to allow incorporation of the existing and proposed renovations to the site plan. It is clear that this renovations are within the spirit and intent of the BCZR and are in furtherance of the legitimate use of the property.

The Petition for Variance should also be granted. The unique characteristics of the lot which justifies this variance is its shape and limited public road frontage. A consistent use and traffic flow will result if the variance relief is granted. It is clear that a grant of the variance to allow the building, where proposed, will not cause any detriment to adjoining properties. For these reasons, the Petition for Variance shall be approved.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 23rd day of October, 1995, that, pursuant to the Petition for Special Hearing, approval to amend the previously approved site plan in zoning cases 80-138-A and 89-374-A, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Exception, approval for a service garage on the subject property zoned M.L.-I.M., be and is hereby GRANTED; and.

IT IS FURTHER ORDERED that variances from Sections 255, 238 and 102.2 BCZR to approve a setback of 35 ft. between buildings, in lieu of the maximum required 60 ft. and a building to property line setback of 20 ft. in lieu of the required 30 ft., be and is hereby GRANTED, subject, however to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

Lawrence E. Schmidt
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 10/23/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 10/23/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 10/23/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 10/23/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 20, 1995

T. Wray McCurdy, Esquire
101 Eastern Avenue
Baltimore, Maryland 21221

RE: Petitions for Special Exception, Special Hearing and Variance
Case No. 95-467-SPHXA
Leonard A. Kraus, Sr., et ux, Petitioners

Dear Mr. McCurdy:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception, Special Hearing and Zoning Variance have been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.
cc: Mr. and Mrs. Leonard A. Kraus, Sr.
10901 Juniper Road
Kingsville, Maryland 21087

Petition for Special Hearing to the Zoning Commissioner of Baltimore County for the property located at #800 RACE ROAD which is presently zoned ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an AMENDMENT TO THE PREVIOUS SITE PLANS APPROVED IN ZONING CASE 80-138-A AND 89-374-A

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
10901 JUNIPER RD. 391-8020
KINGSVILLE, MD 21087
Name Address and phone number of representative to be contacted
PATRICK M. O'KEEFE
HUNT VALLEY, MD.
523 PENNY LA. 21030 666-5366
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for hearing
the following date
ALL OTHER
REVIEWED BY DATE

Petition for Special Exception to the Zoning Commissioner of Baltimore County for the property located at #800 RACE ROAD which is presently zoned ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for A SERVICE GARAGE

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
10901 JUNIPER RD. 391-8020
KINGSVILLE, MD 21087
Name Address and phone number of representative to be contacted
PATRICK M. O'KEEFE
HUNT VALLEY, MD.
523 PENNY LA. 21030 666-5366
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for hearing
the following date
ALL OTHER
REVIEWED BY DATE

Petition for Variance to the Zoning Commissioner of Baltimore County for the property located at #800 RACE ROAD which is presently zoned ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 255, 238 and 102.2 BCZR TO PERMIT BETWEEN BLDG. SETBACKS OF 35 FT. IN LIEU OF THE MAXIMUM REQUIRED 60 FT. AND A BUILDING TO PROPERTY LINE SETBACK OF 20 FT. IN LIEU OF THE REQUIRED 30 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
10901 JUNIPER RD 391-8020
KINGSVILLE, MD 21087
Name Address and phone number of representative to be contacted
PATRICK M. O'KEEFE
HUNT VALLEY, MD.
523 PENNY LA. 21030 666-5366
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for hearing
the following date
ALL OTHER
REVIEWED BY DATE

ZONING DESCRIPTION
of the property located at
800 RACE ROAD
15th Election District
Baltimore County, Maryland
A) VARIANCE

Beginning for the FIRST at a point on Race Road Extended, said point being Southwesterly 561 feet more or less from the intersection of the centerline Golden Ring Road with the centerline of Race Road Extended, thence running and binding on the outlines of the property of the petitioners herein the nine courses and distances VIZ:

- 1) South 29 degrees 37 minutes 12 seconds West, 222.89 feet;
 - 2) South 33 degrees 24 minutes 12 seconds West, 142.32 feet;
 - 3) Thence a curve with a radius of 6131.20 feet with a length of 477.47 feet, chord bearing being South 65 degrees 49 minutes 26 seconds West, 477.33 feet;
 - 4) North 58 degrees 39 minutes 10 seconds West, 85.81 feet;
 - 5) North 12 degrees 09 minutes 40 seconds West, 191.42 feet;
 - 6) North 47 degrees 41 minutes 26 seconds East, 307.02 feet;
 - 7) North 84 degrees 01 minutes 26 seconds East, 299.92 feet;
 - 8) North 18 degrees 47 minutes 50 seconds East, 110.19 feet;
 - 9) South 69 degrees 33 minutes 02 seconds East, 188.64 feet;
- to the place of beginning

Containing 4.800 acres of land more or less

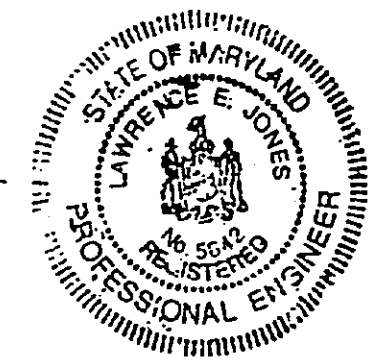
Saving and excepting the second herein description which is intended to contain the area of the special exception.

- B) SPECIAL EXCEPTION - Beginning for the second at a point in the first line mentioned above, being 20.0 feet from the end of said line, thence running with and binding on the remainder of said line.

- 1) South 29 degrees - 37 minutes - 12 seconds West - 20.0 feet.
 - 2) South 33 degrees - 24 minutes - 12 seconds West - 142.32 feet.
 - Thence running with a portion of the third line mentioned above:
 - 3) A curve with a radius of 6131.20 feet with a length of 175.0 feet. Chord bearing being South 65 degrees - 50 minutes West - 175.0 feet.
 - 4) North 24 degrees - 10 minutes West - 60.0 feet.
 - 5) North 65 degrees - East - 100.0 feet.
 - 6) North 29 degrees - East - 140.0 feet.
 - 7) South 61 degrees - East - 15.0 feet.
 - 8) North 29 degrees - East - 40.0 feet.
 - 9) South 61 degrees - East - 93.0 feet.
- To the place of beginning containing 0.60 acres of land, more or less.

The improvements being known as 800 Race Road Extended

JONES ASSOCIATES
044 BEAVERBANK CIR.
TOWSON, MD



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 7/19/95
Posted for: Leonard A. Kraus & Ruth N. Kraus
Petitioner: Leonard A. Kraus & Ruth N. Kraus
Location of property: 800 Race Rd.
Location of Signs: Along the way on property being zoned
Remarks: None
Posted by: Michael Date of return: 7/19/95
Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case: #95-467-SPHXA (Item 461)
800 Race Road
N/S Race Road Extended, 561' +/- SW of Golden Ring Road
15th Election District - 7th Councilmanic
Legal Owner(s): Leonard A. Kraus, Sr. and Ruth N. Kraus
Hearing: Wednesday, July 19, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve an amendment to the site plans approved in zoning case #80-138-A and #89-374-A.
Special Exception for a service garage.
Variance to permit between building setbacks of 35 feet in lieu of the maximum required 60 feet and a building to property line setback of 20 feet in lieu of the required 30 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
6/29 June 29.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/29 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/29 1995

THE JEFFERSONIAN,
A. Hemmison
LEGAL AD. - TOWSON

receipt
Date: 6/14/95 Account: R-001-6150
Number: 461
JLL
3 HOURS SPHXA
CODE 070 \$ 650.00
3 HOURS CODE 080 105.00
\$ 755.00
COVER KRAUS.
Loc. 800 RACE RD.
Please Make Checks Payable To: Baltimore County
Cashier Validation

TO: FUTURE PUBLISHING COMPANY
June 29, 1995 Issue - Jeffersonian
Please forward billing to:
Leonard Kraus
800 Race Road
Baltimore, MD 21221
391-8020

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 95-467-SPHXA (Item 461)
800 Race Road
N/S Race Road Extended, 561' +/- SW of Golden Ring Road
15th Election District - 7th Councilmanic
Legal Owner(s): Leonard A. Kraus, Sr. and Ruth N. Kraus
Hearing: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve an amendment to the previous site plans approved in zoning case #80-138-A and #89-374-A.
Special Exception for a service garage.
Variance to permit between building setbacks of 35 feet in lieu of the maximum required 60 feet and a building to property line setback of 20 feet in lieu of the required 30 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

June 22, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 95-467-SPHXA (Item 461)
800 Race Road
N/S Race Road Extended, 561' +/- SW of Golden Ring Road
15th Election District - 7th Councilmanic
Legal Owner(s): Leonard A. Kraus, Sr. and Ruth N. Kraus
Hearing: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve an amendment to the previous site plans approved in zoning case #80-138-A and #89-374-A.
Special Exception for a service garage.
Variance to permit between building setbacks of 35 feet in lieu of the maximum required 60 feet and a building to property line setback of 20 feet in lieu of the required 30 feet.

Arnold Jablon
Director
Department of Permits and Development Management

cc: Leonard A. and Ruth N. Kraus
Patrick M. O'Leary
T. Wray McCurdy, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 13, 1995

T. Wray McCurdy, Esquire
101 Eastern Ave.
Baltimore, Maryland 21221

RE: Item No.: 461
Case No.: 95-467-SPHXA
Petitioner: Mr. and Mrs. Kraus

Dear Mr. McCurdy:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 14, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Bel Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 461

Petitioner: KRAUS

Location: 800 RACE RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: LEONARD KRAUS

ADDRESS: 800 RACE RD

BALTO MD 21221

PHONE NUMBER: 391 8020

At: ggs

(Revised 04/09/93)

700 East Joppa Road Suite 901
Towson, MD 21286-5500 (410) 887-4500

DATE: 07/03/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: LEONARD A. KRAUS, SR. & RUTH N. KRAUS

LOCATION: N/S RACE RD. EXTENDED, 561' +/- SW OF GOLDENRING RD.
(800 RACE RD.)

Item No.: 461 Zoning Agenda: SPECIAL HEARING/EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
JUL 3 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-48B1, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

